Court No.2

IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Civil Misc. Application No. 4925 of 2004

IN
Arbitration Case No. 21 of 2003

Shri Shiv Kumar
S/o Shri Babu Singh Pundir,
R/o Village-Bhalswa, Ishapur,
Baliakheri, District –Saharanpur,
Contractor ……. Applicant.

Versus

1. The Superintending Engineer, Irrigation Construction, Circle Yamuna Colony, Dehradun.
2. The Executive Engineer, Civil Construction Division-II, Dhalipur District –Dehradun.

……. Opp. Parties

Sri S.K. Jain, learned counsel for the applicant.
Learned Chief Standing Counsel for the Opp. Parties.

Date: July 19th, 2005.

Hon'ble P.C. Verma, J.

By order dated 17.02.2004, the Superintending Engineer, Irrigation Construction Circle, Yamuna Colony, Dehradun was appointed Arbitrator to decide the dispute referred to him in terms of the agreement. An application has been filed stating therein that the Arbitrator has not entered upon the reference and, therefore, the Arbitrator my be changed. Since the Superintending Engineer has not entered upon the reference, therefore the Arbitrator is changed and in place of Superintending Engineer, Irrigation Construction Circle, Yamuna Colony, Dehradun,

the Secretary (Law), Government of Uttaranchal, Secretariat, Dehradun is appointed Arbitrator in the matter who shall be paid Rs. 5,000/- (Rupees five thousand) per day by both the parties jointly. The order dated 17.02.2004 and 26.02.2004 is modified accordingly. It is made clear that the Arbitrator so appointed shall enter upon the reference and shall decide the referenced within a period of three months from the date of production of certified copy of this order.

The application is disposed of accordingly.

(P.C. Verma, J.)

19.07.2005
P. Singh